IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.371 OF 2003

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.R.K.Mendadkar for the petitioner.
Mr.C.R.Sonawane AGP for the State.

CORAM: V.G.PALSHIKAR &
D.B.BHOSALE, JJ.

DATED: 18TH AUGUST, 2005.

P.C.:

. By this petition, the petitioner has challenged the order passed by the Caste Scrutiny Committee invalidating the certificate of the petitioner belonging to Mahadeo Koli Tribe. A perusal of the impugned order discloses, careful consideration of entire material on record and the findings given are based on substantial evidence and its proper application. There is no reason why such well reasoned order should be interfered with under Article 226. It is liable to be confirmed and is hereby confirmed.

2. It is then submitted by the learned counsel for the petitioner that

the petitioner is already admitted to medical college on the basis of this certificate which is now invalidated and is studying for the last two years. Now even by her being required to give up her studies, nobody will be benefited. The seat vacated by her now would be wasted for the remaining period. Nobody else can be granted that seat now because the course has progressed by two years. Apparently there is no evidence on record to show that the malafides were of the student herself. In such circumstances, we see no reason that the benefit of continuing her study in the seat already allotted to her be not given to her. We, therefore, dispose of this petition maintaining the order of invalidation, but direct the respondent to continue the petitioner in the medical course till she completes the M.B.B.S. examination. The petition accordingly disposed of.

(D.B.Bhosale, J.) **(V.G.Palshikar, J.)**